

**MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION
HEARING OF FEBRUARY 21, 2007**

REGULAR MEETING

9:00 A.M.

FEBRUARY 21, 2007

PRESENT:

COMMISSIONERS:	Bob Colven, Vice Chairman	Richard P. Pearson
	James V. Curatalo, Alternate	A. R. "Tony" Sedano, Alternate
	Larry McCallon	Diane Williams, Alternate
	Mark Nuaimi	

STAFF:

Kathleen Rollings-McDonald, Executive Officer
Clark H. Alsop, Legal Counsel
Samuel Martinez, LAFCO Analyst
Michael Tuerpe, LAFCO Analyst
Debby Chamberlin, Clerk to the Commission

ABSENT:

COMMISSIONERS:	Paul Biane, Chairman	Josie Gonzales, Alternate
	Kimberly Cox	Dennis Hansberger

REGULAR SESSION - CALL TO ORDER – 9:05 A.M.

In the absence of Chairman Biane, Vice Chairman Colven calls the regular session of the Local Agency Formation Commission to order and leads the flag salute.

Vice Chairman Colven requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past twelve months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution has been made, and the matter of consideration with which they are involved. There are none.

APPROVAL OF MINUTES FOR REGULAR MEETING OF JANUARY 17, 2007

Vice Chairman Colven calls for any corrections, additions, or deletions to the minutes. There are none. Commissioner McCallon moves approval of the minutes as presented, seconded by Commissioner Pearson. Vice Chairman Colven calls for a voice vote on the motion and it is as follows: Ayes: Colven, Curatalo, McCallon, Nuaimi and Pearson. Noes: None. Abstain: None. Absent: Biane, Cox (Curatalo voting in her stead), Gonzales and Hansberger.

CONSENT ITEMS

LAFCO considers the items listed under its consent calendar. Vice Chairman Colven states that the consent calendar consists of:

- (1) approval of the Executive Officer's expense report; and
- (2) approval of payments as reconciled for the month of January 2007 and noting cash receipts.

A Visa Justification for the Executive Officer's expense report and a staff report outlining the staff recommendation for the reconciled payments have been prepared and a copy of each is on file in the LAFCO office and is made a part of the record by its reference herein. Executive Officer Kathleen

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Rollings-McDonald reports that a Travel Claim, which was not a part of the Agenda packets, has been provided at the place of each Commissioner for consideration as part of the expense report.

Vice Chairman Colven asks if there is anyone present wishing to discuss any of the consent calendar items. There is no one.

Commissioner Pearson moves approval of the staff recommendations for the consent calendar items, seconded by Commissioner Curatalo. Vice Chairman Colven calls for any objections to the motion. There being none, the voice vote is as follows: Ayes: Colven, Curatalo, McCallon, Nuaimi and Pearson. Noes: None. Abstain: None. Absent: Biane, Cox (Curatalo voting in her stead), Gonzales and Hansberger.

CONTINUED ITEMS:

CONTINUED FROM NOVEMBER 15, 2006 – CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3067; AND (2) LAFCO 3067 – REORGANIZATION TO INCLUDE CITY OF SAN BERNARDINO ANNEXATION NO. 361 (SIX ISLANDS—APPROVE STAFF RECOMMENDATION

LAFCO conducts a hearing continued from November 15, 2006, to consider a reorganization to include the annexation of six separate islands to the City of San Bernardino (hereinafter referred to as "the City"). Notice of the original hearing was advertised as required by law through publication in The Sun, a newspaper of general circulation in the area and individual mailed notice was provided to landowners and registered voters within and surrounding the reorganization area pursuant to State law and Commission policy. Individual notice of this hearing was provided to affected and interested agencies, County departments and those individuals and agencies requesting mailed notice.

Executive Officer Kathleen Rollings-McDonald presents the staff report, a copy of which is on file in the LAFCO Office and is made a part of the record by its reference herein. Ms. McDonald says that at the November 15, 2006 hearing, the Commission directed staff to look at expanding three of the six islands to address more substantial acreage, to look at more effective and efficient boundaries, and to bring back information regarding revenues to be generated, costs for service provision in the expanded areas and the additional acreage determinations. She discusses the map on the overhead display which shows the modified annexation areas, noting that Islands 1 and 4 were previously expanded by staff to include Flood Control properties. She discusses that Island 1 has been evaluated as expanded to the centerline of Sterling Avenue and says the modified area encompasses 133.8 acres, below the 150 acre threshold outlined in Government Code Section 56375.3. She says the area to the south, for which the City has indicated it will move forward with for annexation, is 59.3 acres, pointing out that leaves a 168.5 acre area north of Marshall Blvd., west of Sterling Avenue that will not qualify as an island annexation. However, she says there are mechanisms to deal with that with a future modification of the 59.3 acre area to be submitted by the City. She says the staff report outlines the existing revenues to be transferred to the City and the property tax transfer from the Tax Rate Area (TRA) within the modified Island 1. She says the total property tax to be transferred to the City within the original annexation area would be \$53,777, and that the expansion would give the City almost \$92,000. She says the subvention revenues based on population are also outlined in the staff report.

Ms. McDonald shows on the overhead display a map of the original area of Islands 4, 5 and 6 and a map of the proposed expansion for Islands 4 and 5, noting that these expansions would take in all the territory north of Pacific Street. She reports that the expanded Island 4 encompasses 60.9 acres and the expanded Island 5 encompasses 130.1 acres, both below the 150 acre threshold and both exceeding the percentage surrounded in the Commission's policy declarations. She says the staff report outlines the information for property tax and subvention revenues in a chart, and says information is also provided for Islands 2, 3 and 6. She notes that there was an error on the staff report presented to the Commission, pointing out that on the chart on Page 9, under the second column titled Year 2 for the City, LAFCO staff had modified the total revenue because the AB 1602 revenues had not been included in Year 2. She says there is a miscalculation and that the total revenues for Year 2 for the City is \$346,496, not

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\$322,431, which she says means that the shortfall for Year 2 is \$68,504. She says the third column over for Year 2 is the LAFCO staff's review of revenues with the reduction in the County island contract to represent only the County Service Area (CSA) 38 revenues, which she says is a 100% reduction, even though the City's existing contract is to be paid 75% of the revenues. She explains that the final column is a review of the actual reduction of the CSA 38 revenues to the contract so that it comes out to slightly more than \$412,000 in revenues and \$415,000 in costs, for a shortfall of about \$2,500.

Ms. McDonald says this information has been reviewed with City staff and is now before the Commission for consideration as to whether or not to direct LAFCO staff to move forward with these expanded island areas. She says the staff recommendation is outlined on page one of the staff report and includes that if the Commission determines to expand Islands 1, 4 and 5, staff be directed to: (1) conduct outreach meetings with residents and landowners within the expanded areas, as is required of cities by Commission policy; (2) place consideration of the modified proposal on the Commission's agenda for consideration on April 18, 2007, identifying each area as an individual island for further consideration; and (3) provide for new legal advertising and environmental assessment of the modified proposals.

Commissioner Nuaimi comments that the staff report indicates that the expenditures in the Plan for Service analysis originally submitted do not match with what is being proposed and discussed in the latest information. He asks whether that means the first report understated the expenditures.

Ms. McDonald explains that the first report did not clearly identify some of the subvention revenues and she says staff is working with City staff to more clearly define the actual revenues to be generated from these areas. She says that one of the reasons staff is requesting a continuance is to work with the City to be sure the Plan for Service clearly identifies the costs for the expanded areas to be sure the maintenance and operation of the services and facilities are available.

Discussion follows regarding the contract for the provision of fire protection services to the unincorporated islands within the City's sphere of influence between the County of San Bernardino, CSA 38 and the City. Commissioner Nuaimi says he assumes that as far as the \$2,000 deficit shown for Year 2 in the fourth column of the chart showing anticipated service costs on page 10 of the staff report, given the \$68,000 surplus in Year 1, the Commission could comfortably move forward with an approach that shows only a minor deficit. Ms. McDonald explains that the City has a contract to serve its sphere of influence islands in exchange for 75% of the CSA 38 revenues and that the contract says that every April, those payments will be renegotiated and reduced by 100% of the CSA 38-generated revenues annexed by the City. She says staff would like to explore an amendment to that contract to simply reduce payments based upon what the City was receiving but she says that requires some discussion with County Fire and the County Administrative Office to seek that change.

Commissioner Pearson asks whether the formation of the Valley Improvement District as part of the County Fire Reorganization will impact the numbers shown in the staff report. Ms. McDonald responds that there will be no change in the percentages; that they will simply roll up into the consolidated fire protection district; and that there will be no change in the shares derived from within the TRAs. Commissioner Pearson notes that one of the points that has been made with the reorganization plan is that the formation of the improvement districts will not involve any change in costs and he says the public wants to be assured of that. Ms. McDonald points out that the service delivery is not provided by the County in these areas; that it is provided through contract with the City. She says if the consolidation of the fire agencies is approved, that contract will be succeeded to and there will be no net change—the contract provisions will simply carry forward.

In response to inquiry of Vice Chairman Colven, Ms. McDonald states that the revenues derived from CSA 70 are for fire administration. She says the transfer of these revenues will also be discussed as part of the consolidation of the fire districts. Commissioner Nuaimi says the County is collecting 100% of the CSA 38 revenue and paying the City 75% to provide fire protection service, so the County has a 25% benefit of the CSA 38 allocation. He points out that as these annexations move forward and the City receives 100% of the property tax share, CSA 38 will experience the 25% loss for each area, which chips away at its financial structure. Ms. McDonald responds that annexations continue to erode the County-

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governed fire services within the Valley area, which is one of the questions about the long-term sustainability of service.

Commissioner Sedano asks Legal Counsel Clark Alsop if he sees any red flags with this proposal. Mr. Alsop says no; that this proposal is a stand-alone proposal from the fire reorganization, although he notes that it is tied with the Arrowhead Springs proposal. He says the only issue is a policy question for the Commission about whether or not to expand the islands.

Commissioner Nuaimi says that he thinks the numbers substantiate the Commission's position that this is not necessarily a financial issue but one of staffing and gearing up for the annexations. He says when they look at the net results, these areas will be receiving services and improvements which they are probably not receiving now. He says these areas will probably be much better off in five years after being annexed than they are today, so he is very supportive of what is being proposed. He says he likes the strategy of expanding the 59.3 acre area shown on page 3 of the staff report and bringing it in; and he says he thinks the area south of Areas 2 and 3 could probably be divided into three islands or more to accommodate annexations in the future. However, he says he does not want to hold up the current process and does not think that anything being considered today will prevent those other islands from being annexed in the future.

Vice Chairman Colven opens the hearing and asks if a representative of the City wishes to speak.

Terry Baker, Assistant City Manager, states that she helped Ms. McDonald with the cost analysis that has been provided. She says the City Council has not had an opportunity to weigh in on how the proposed expansions will impact the City and she says City staff would like some time to explain that to the City Council. She points out that with the original application, about 1,100 people were to be annexed and that with the expansions there will be about 3,300 people annexed.

Commissioner Nuaimi says the Commission's action today would refer the matter back to the City for a plan for service analysis for each of the areas, which he says will have to go to the City Council for ratification. He says the key message to take back to the City Council is that this is not a financial burden on the City and will substantially improve service delivery to these areas.

Vice Chairman Colven asks if there is anyone else wishing to speak on this matter. There is no one and he closes the hearing.

Commissioner Nuaimi moves approval of staff recommendation, seconded by Commissioner Pearson. Vice Chairman Colven calls for a voice vote on the motion and it is as follows: Ayes: Colven, Curatalo, McCallon, Nuaimi and Pearson. Noes: None. Abstain: None. Absent: Biane, Cox (Curatalo voting in her stead), Gonzales and Hansberger.

DISCUSSION OF COSTS FOR CLERK TO THE COMMISSION RECRUITMENT AND DUAL APPOINTMENT – APPROVE STAFF RECOMMENDATIONS NOS. 1, 2 AND 3 AND CONTINUE RECOMMENDATIONS 4, 5 AND 6 TO MARCH 21, 2007

LAFCO conducts a discussion of costs for the recruitment process for the Clerk to the Commission and dual appointment for the Clerk position. Notice of this discussion has been advertised as required by law through publication in The Sun, a newspaper of general circulation, and individual mailed notice was provided to affected and interested agencies and County departments.

LAFCO Analyst Michael Tuerpe presents the staff report, a copy of which is on file in the LAFCO Office and is made a part of the record by reference herein. Mr. Tuerpe says that at the January 17 hearing, it was announced that the Clerk to the Commission would be retiring at the end of June. He says the Commission authorized staff to contract with Alcock and McFadden, Human Resources Consultant to the Commission, to recruit for the Clerk to the Commission position and directed staff to return today with an outline of the recruitment costs, timing, and dual-appointment costs for training purposes. He says that a

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contract is attached to the staff report outlining that the recruitment effort will be coordinated with Alcock and McFadden at a cost not to exceed \$3,000; that it will begin immediately; and is estimated to take six to eight weeks to complete. Mr. Tuerpe says staff is requesting authority for a dual appointment of this position for training purposes for no more than five weeks in Fiscal Year (FY) 2006-07, at a cost budgeted not to exceed \$11,000, and one week in FY 2007-08.

As outlined in the staff report, Mr. Tuerpe discusses changes to the FY 2006-07 budget necessary to accommodate the dual appointment and to acknowledge increased costs and revenues anticipated for the FY. To accommodate the costs identified for the dual appointment of the Clerk to the Commission position, he says staff is recommending that the Commission transfer \$10,000 from Account 6000 (Contingencies) and \$1,000 from Account 6025 (Reserves) to Account 1010 (Regular Salary), noting that this action requires no increase in total appropriation authority.

Executive Officer Kathleen Rollings-McDonald interjects that the intent of the changes outlined in the staff report is to give the Commission the appropriation authority to accommodate the projected year-end costs for a number of categories within the 2000 series. Ms. McDonald says the actions proposed will accommodate the revenues that have been, or are anticipated to be, received in repayment of the CEQA litigation and will address some of the other increased costs due to the reduction and anticipated costs for the GIS Technician, for which the Commission was to contract with the County. She reports that staff's recommendations will increase the appropriation authority to accommodate these changes by making the individual account adjustments listed in the staff report.

Commissioner Nuaimi says he is fine with the changes but has concern with the way the item was listed on the agenda. He asks Legal Counsel Clark Alsop whether there are issues from a legal notice perspective since the agenda item does not capture the full magnitude of all the changes requested. Mr. Alsop notes that Commissioner Nuaimi is referring to staff recommendations four, five and six and he asks Ms. McDonald whether anything other than a discussion of the costs for the Clerk's recruitment was noticed. Ms. McDonald responds that notice was provided as identified on the Agenda for Item 5. Mr. Alsop says it would be better to continue those other three budget items to next month to allow for proper advertising.

Commissioner Nuaimi moves approval of staff recommendations one, two and three related to the costs for recruitment for the Clerk to the Commission position and continuance of staff recommendations four, five and six related to other budget items to March 21, 2007. The motion is seconded by Commissioner McCallon.

Vice Chairman Colven asks if there is any further discussion. There being none, he calls for a voice vote on the motion and it is as follows: Ayes: Colven, Curatalo, McCallon, Nuaimi and Pearson. Noes: None. Abstain: None. Absent: Biane, Cox (Curatalo voting in her stead), Gonzales and Hansberger.

DISCUSSION ITEMS

CONSIDERATION OF VICTORVILLE COMMUNITY MUNICIPAL SERVICE REVIEWS AND JURISDICTIONAL CHANGE CONSIDERATIONS – CONTINUE TO MARCH 21, 2007

LAFCO conducts a public hearing to consider the Victorville Community Municipal Service Reviews and jurisdictional change considerations, including the proposed consolidation of the Victor Valley Water District and Baldy Mesa Water District, to be known as the Victorville Water District and to be established as a subsidiary district of the City of Victorville. Notice of this hearing has been advertised as required by law through publication of one-eighth page legal advertisements in The Sun and the Victor Valley Daily Press, newspapers of general circulation in the area. Individual notice was provided to affected and interested agencies, County departments and those individuals and agencies requesting mailed notice.

Executive Officer Kathleen Rollings-McDonald states that staff contacted as many people as possible yesterday to notify them that a request was received from the Baldy Mesa Water District to continue this

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item to the March 21 hearing. She reports that concurrence for that continuation has been received from the City of Victorville and the Victor Valley Water District and that staff is recommending that the hearing for Item 6, A through K, be continued to March 21, 2007.

Commissioner McCallon moves approval of staff recommendation, seconded by Commissioner Nuaimi. Vice Chairman Colven calls for a voice vote on the motion and it is as follows: Ayes: Colven, Curatalo, McCallon, Nuaimi and Pearson. Noes: None. Abstain: None. Absent: Biane, Cox (Curatalo voting in her stead), Gonzales and Hansberger.

PENDING LEGISLATION

Executive Officer Kathleen Rollings-McDonald presents the staff report on pending legislation, a copy of which is on file in the LAFCO office and is made a part of the record by its reference herein.

Ms. McDonald says that attached to the staff report is a copy of the CALAFCO Legislative Report and she says material has been provided relating to three of the Bills listed in that document. She discusses two of the Bills initiated by Senator Negrete-McLeod, Chair of the Senate Local Government Committee. She says SB 162 proposes to increase the factors the Commission considers, including a factor identified as "Environmental Justice". She reports that Chairman Biane has expressed his opposition to this Bill and wants to advise the Senator of that position on the basis that "Environmental Justice" is a CEQA requirement and the siting of facilities is a land use authority. She says the Commission is not to direct land use but is to evaluate service delivery, so she says there is some concern about the proposed language. She reports that while staff has indicated that it has an issue any time a new factor is introduced, the language in the Bill does not state that it takes precedence over all the other factors required for consideration. She says staff wanted to be sure the Commission understood the position of the Chair.

Ms. McDonald discusses SB 167 which proposes \$90,000,000 for planning grants and incentives for the preparation and adoption of General Plans, and SB 12, initiated by Senator Lowenthal, which proposes a revision in the method for allocating the Regional Housing Need Allocation (RHNA) numbers for the Southern California Association of Governments (SCAG).

Ms. McDonald says that attached to the staff report is a copy of the minutes from the October 6 Legislative Committee meeting which identify some of the proposed changes to be presented to the CALAFCO Legislative Board. She reports that CALAFCO is looking at proposed revisions to rewrite Municipal Service Review factors to make them more understandable.

Ms. McDonald says the Commission has also been presented with a notification received from the Public Utilities Commission (PUC) on a proposed resolution directing its public utilities to participate with LAFCO and requiring that they share information with the Commission. She says the problem in the past has been that the private water company's response has been that it has no requirement to provide LAFCO with any information since it is not under the jurisdiction of the Commission. Commissioner Nuaimi asks if that means that LAFCO can "chime in" on some of the proposals put forward by private water providers or whether that means that LAFCO just needs to be kept up-to-date on what they are doing.

Ms. McDonald responds that during Municipal Service Reviews, utilities will be obligated to provide information about their service delivery so that the Commission can look at the actual service delivery in a region.

Legal Counsel Clark Alsop explains that the underlying concept is that a public agency, city or district has a defined governmental boundary in which it serves, and he says, theoretically, private utilities have certificated areas which they serve. Mr. Alsop says that occasionally a public agency proposes to annex into territory that is served by a PUC-regulated utility and there really is no good way to analyze that impact--the same as if the private utility wanted to move into an area served by a government agency. Ms. McDonald discusses that CALAFCO is working closely with the PUC and will be working with the Department of Corporations to look at water utilities and private sewerage corporations and the sharing of information.

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Commissioner Curatalo asks if the Commission was doing a service review now for a city and a private utility was involved in the area, whether the Commission would get any information from a private utility or only as much information as the utility wished to provide. Ms. McDonald responds that it depends on the utility and whether it wished to participate with LAFCO. Commissioner Curatalo asks how deep they would look into private utilities with this proposed change. Ms. McDonald explains that they would look at the utility's plans, programs for expansion and how it intends to address the issue of the general plan ultimate build out for the area. She says this would be done on a community-by-community approach, the same as the Commission's sphere of influence policy.

Vice Chairman Colven asks if Ms. McDonald has any sense of what CALAFCO's position will be on SB 162. Ms. McDonald reports that there are varying positions from LAFCOs throughout the State, with some supporting the Bill and others vehemently opposing it because it is a land use authority issue.

Mr. Alsop reports that Senator Negrete-McLeod is the Chair of the Committee that LAFCOs need to work through and he says that generally, when the Chair proposes a bill, it passes. He says there has been some discussion that she is attempting to work with the Chair of the Assembly Local Government Committee to have that person co-sponsor the Bill. He reports that CALAFCO has no position at this time because, as mentioned by Ms. McDonald, the Legislative Committee had different views. He says that CALAFCO Executive Director Bill Chiat is attempting to work with the CALAFCO Board of Directors and the Legislative Committee to see if the Board wants to take a position one way or another, considering some of the political factors in play.

Commissioner Nuaimi asks if there is a definition for "Environmental Justice". Ms. McDonald reads the definition provided in Government Code Section 65040.12 which is "...fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

Tom Dodson, Environmental Consultant, explains that many of the most polluting industries are in low income areas and in areas that have people of color, resulting in the notion that those facilities were being intentionally put in those areas. He says the people involved with the "Environmental Justice" movement were trying to say that there needs to be a balance on what is imposed on the lower income communities or communities of color and where new facilities are placed must be looked at. He says that from a LAFCO perspective, to apply "Environmental Justice" would probably mean that the Commission should be aware that a particular annexation had a lower income component. He says he is not really sure what the Commission could do other than that since the Commission is not actually making land use decisions relative to such communities. Further discussion follows, with Ms. McDonald stating that some LAFCOs are looking at the quandary of addressing this issue when the Commission is simply evaluating service delivery to a territory based on the existing General Plan of either the County or the city proposing annexation, not the siting of facilities.

Commissioner McCallon notes that the Inland Empire Division of the League of California Cities is having a reception for Senator Negrete-McLeod tomorrow in Fontana and he says that maybe they will be able to broach this subject with her. Regarding SB 12, he reports that as a Regional Councilmember on SCAG and as a member sitting on the Committee that is putting forth this modification to the RHNA language, the Committee thinks the modification is a good thing because it makes sense that people in the region are determining what their needs are and not someone in Sacramento. Ms. McDonald reports that the Executive Director of SCAG has put together a committee of LAFCO Executive Officers and SCAG staff to discuss SCAG issues related to transportation, among other things, and is calling upon LAFCOs to participate in the process so that SCAG understands what LAFCOs do and take sphere and service determinations into account when making its projections.

Vice Chairman Colven says that he would be interested in hearing Chairman Biane's input since he has indicated opposition to SB 162. He says the Commission as a body may want to submit a letter "up or down" on the issue.

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EXECUTIVE OFFICER'S ORAL REPORT

Ms. McDonald reports that the agenda for the March 21, 2007 hearing will be heavy because of the continued Victorville community items. She says the hearing will start at 8:30 a.m. She notes that SANBAG has moved its Policy and Planning Committee meeting from noon to 1:00 p.m. to help accommodate the Commission hearings so she says when there is a heavy agenda, the meetings will start at 8:00 or 8:30 a.m. She reports that also on the March 21 agenda will be the continued hearing on the Arrowhead Springs annexation. Ms. McDonald reports that on the April 18 agenda will be the adoption of the resolutions for the Victorville community proposals, the continued service reviews for County Service Areas 42 and 64, and the continued consideration of the six individual San Bernardino islands.

Ms. McDonald reports that the community meeting in Apple Valley regarding the County Fire Reorganization and formation of the North Desert Improvement District was held last night. She says staff was outnumbered by County Fire people about two to one, noting the audience was made up of only one newspaper reporter and a member of the Board of Supervisors staff, even though the meeting was advertised extensively. She reports that next week the community for the South Desert Improvement District discussion will be in Yucca Valley at the Senior Center. She notes that the meeting scheduled in Running Springs on February 13 regarding the Mountain Improvement District was cancelled due to inclement weather and impending fog and she reports that it has been rescheduled for March 6. She says she believes the turnout in the Mountains will be much heavier than at any of the other meetings. She says staff hopes to bring this issue to the Commission in May or June.

Commissioner Nuaimi asks whether there could possibly be a discussion of the County Fire Reorganization at the City/County Conference to be held on March 22 and 23. He says there will be a captive audience of elected officials who might not be aware of this issue. Ms. McDonald says she would be happy to make a presentation there. She adds that she does not think many people understand the complexities of this issue and the determinations the Commission must make regarding sustainability. Vice Chairman Colven comments that it was discussed last night that no one attends the community meetings, but once the reorganization goes into effect, there will be a lot of comments that people never received notice and they knew nothing about the reorganization. Ms. McDonald says staff is trying to get out information to as many entities and people as possible. Commissioner Curatalo says he attended the Valley community meeting and expected a lot of hard questions and interest, which did not happen. He says that any extraordinary effort that can be made to get participation of the public, to try to avoid the aftermath of people saying they did not know about the reorganization, would be good. But he adds that he does have great faith in the public representatives on the Commission to make a good sound decision. He asks whether there have been any public announcements through cable channels. Ms. McDonald says there have not but she says staff will look into doing that.

Ms. McDonald says the Commission has received the Status Report of Pending Proposals and has been presented today with the updated Cortese-Knox-Hertzberg Act and the Form 700 Statement of Economic Interest information.

COMMISSIONER COMMENTS

Commissioner Pearson comments that this was the first time information related to a staff report was received in CD format. He says it is not a bad idea and is a handy way to review the whole package, but he says if they really want to look at the details and be able to pick things apart, he thinks hard copies are needed. Ms. McDonald says that since all the appendix materials were referenced in the report, staff had to come up a way to avoid sending the Commissioners about two bankers boxes full of documents. She says that everyone received hard copies of the staff report and the Plan for Service for the consolidation and she says that all materials are available on the Website. She notes that staff does not intend to reproduce all the information again for next month's continued hearing.

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Commissioner Curatalo comments that he is happy to see that the Commission is proactively moving forward to replace its Clerk in organized manner for the transition. He tells Ms. Chamberlin that she has been outstanding as the Clerk; that she does very detailed and accurate minutes; and she will be difficult to replace.

COMMENTS FROM THE PUBLIC

Vice Chairman Colven calls for comments from the public. There are none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING IS
ADJOURNED AT 10:08 A.M.**

ATTEST:

DEBBY CHAMBERLIN
Clerk to the Commission

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PAUL BIANE, Chairman